

REMARKS

This Amendment is being filed in response to the Final Office Action mailed January 2, 2009 which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the remarks to follow are respectfully requested.

Claims 1-8 remain in this application, where claims 1 and 4-8 are independent.

In the Final Office Action, claims 1-8 are rejected under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2004/0109400 (Jung). It is respectfully submitted that claims 1-8 are patentable over Jung for at least the following reasons.

It is respectfully submitted that Jung is not prior art to the present application. The present application has an effective filing date of November 5, 2002, which is before the Jung publication date of June 10, 2004 as well as before the Jung filing date of September 30, 2003. That is, Jung was filed and published after the effective filing date of the present application. As the


effective filing date of the present application of November 5, 2002 is before the Jung filing date of September 30, 2003, Jung is not available as prior art with regard to the present application.

Accordingly, it is respectfully submitted that claims 1-8 are allowable.

In addition, Applicant denies any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicant reserves the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
Dicran Halajian, Reg. 39,703  
Attorney for Applicant(s)  
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**THORNE & HALAJIAN, LLP**  
Applied Technology Center  
111 West Main Street  
Bay Shore, NY 11706  
Tel: (631) 665-5139  
Fax: (631) 665-5101